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SEP 28 2005

## PATENT APPLICATION

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of

Docket No: Q78615

Jorgen Mejner OLSEN

Appln. No.: 10/720,093

Group Art Unit: 2646

Confirmation No.: 4864

Examiner: Suhan NI

Filed: November 25, 2003

For: A COMPACT MODULAR IN-THE-EAR HEARING AID

## RESPONSE UNDER 37 C.F.R. § 1.111

## MAIL STOP AMENDMENT

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Sir:

In response to the Office Action dated June 28, 2005, please consider the following.

Claims 1-28 are all the claims pending in the application. In the only rejection stated in the Office action, all claims were rejected for obviousness-type double patenting over U.S.

Patent No. Patent 6,430,296 and U.S. Patent No. 6,678,385. A Terminal Disclaimer in compliance with 37 C.F.R. § 1.321(c) is being filed concurrently herewith to overcome the rejection.

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

Response Under 37 C.F.R. § 1.111  
USSN 10/720,093

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

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WASHINGTON OFFICE

**23373**

CUSTOMER NUMBER

Respectfully submitted,

  
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Registration No. 28,703

Date: September 28, 2005